

As commonly understood in the art, a "microbubble" is a small pocket of gas surrounded by a shell, typically a solid material. See, e.g., page 7, lines 21 et seq. of the present specification. As noted in the interview, introduction of microbubbles into tissue substantially enhances the absorptivity of the tissue for ultrasonic energy, because the gas within the microbubble has dramatically different acoustic impedance from the surrounding solids and liquids. While Nash indeed uses microparticles, also referred to as microspheres, these structures are bodies of a solid or liquid therapeutic agent which may be surrounded by one or more coatings or shells. See, e.g., page 20, last two paragraphs, through page 21; and pages 39-46 inclusive with Figs. 15A-15G of Nash. The Examiners acknowledged that Nash indeed did not teach microbubbles. As pointed out by counsel, the failure of Nash to teach microbubbles renders the § 102(b) rejection untenable.

Although not discussed at the interview, it is additionally pointed out that claim 1 further distinguishes over Nash with regard to the manipulative step set forth in step (b) of the claim. This step requires that ultrasonic energy be applied to cause ablation by heating "while the microbubbles are present in the myocardial tissue" Nothing in Nash has been pointed out as disclosing application of energy to tissues while the microparticles or microspheres of Nash are present in the tissue. Indeed, the principal discussion in Nash appears to be the application of energy to form channels prior to introduction of the microparticles or microspheres into the tissue. See, e.g., page 34, lines 2 et seq. Thus, even if the microparticles or microspheres of Nash could be considered microbubbles (which they are not), Nash still would not meet claim 1.

In light of the foregoing comments, it is respectfully requested that the final rejection be withdrawn.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,



By _____
Marcus J. Millet
Registration No.: 28,241
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

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